

By: Anchia

H.B. No. 494

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on state travel to a state with laws allowing or requiring discrimination based on sexual orientation or gender identity or expression.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 6, Government Code, is amended by adding Chapter 620 to read as follows:

CHAPTER 620. PROHIBITION ON STATE TRAVEL TO STATES WITH CERTAIN DISCRIMINATORY LAWS

Sec. 620.001. DEFINITIONS. In this chapter:

(1) "Gender identity or expression" means having or being perceived as having gender-related identity, appearance, expression, or behavior, regardless of whether that identity, appearance, expression, or behavior is different from that commonly associated with the individual's actual or perceived sex.

(2) "Sexual orientation" means the actual or perceived status of an individual with respect to the individual's sexuality.

(3) "State agency" means a board, commission, department, office, or other agency in the executive or legislative branch of state government. The term includes an institution of higher education, the senate, and the house of representatives.

(4) "State employee" means a person who receives compensation for service performed, other than as an independent contractor, for a state agency. The term includes a state officer or

1 a member of the senate or house of representatives.

2 Sec. 620.002. APPLICABILITY. (a) Except as provided by  
3 Subsection (b), this chapter applies only to travel to a state other  
4 than this state that, after June 26, 2015, enacted a law that:

5 (1) voids or repeals any existing protection against  
6 discrimination on the basis of sexual orientation or gender  
7 identity or expression;

8 (2) authorizes or requires discrimination against  
9 same-sex couples or their families or on the basis of sexual  
10 orientation or gender identity or expression; or

11 (3) creates an exemption to an antidiscrimination law  
12 in order to permit discrimination against same-sex couples or their  
13 families or on the basis of sexual orientation or gender identity or  
14 expression.

15 (b) This chapter does not apply to travel to a state  
16 described by Subsection (a) after the date all laws described by  
17 Subsections (a)(1)-(3) are repealed or otherwise become  
18 ineffective in that state.

19 Sec. 620.003. CERTAIN STATE TRAVEL PROHIBITED. A state  
20 agency may not:

21 (1) require a state employee to travel to a state  
22 described by Section 620.002(a); or

23 (2) except as provided by Section 620.004, approve a  
24 request for state-funded or state-sponsored travel to a state  
25 described by Section 620.002(a).

26 Sec. 620.004. EXCEPTIONS. Section 620.003(2) does not  
27 apply to travel that is required for:

- 1           (1) enforcement of this state's law, including  
2 auditing or revenue collection;
- 3           (2) litigation;
- 4           (3) compliance with a contractual obligation incurred  
5 before September 1, 2017;
- 6           (4) compliance with a federal government request to  
7 appear before a committee;
- 8           (5) participation in training or a meeting, if  
9 participation is required by a grant or required to maintain grant  
10 funding;
- 11           (6) completion of job training necessary to maintain a  
12 license or a similar requirement to hold a position, if the training  
13 is not available in this state or a state to which Section  
14 620.002(a) does not apply; or
- 15           (7) the protection of public health, welfare, or  
16 safety as determined by the state agency.

17           SECTION 2. This Act takes effect September 1, 2017.